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REJECTION OVER A PENDING "REFERENCE" APPLICATION**

Docket Number (Optional)  
43392/P005P1C1

In re Application of: Bauer et al.

Application No.: 10/072,571

Filed: February 8, 2002

For: CO-ADMINISTRATION OF INTERLEUKIN-3 MUTANT POLYPEPTIDES WITH CSF'S FOR MULTI-LINEAGE HEMATOPOIETIC CELL PRODUCTION

The owner\*, G.D. Searle & Co., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 08/466,631, filed on 6/6/95, Application Number 08/466,648, filed on 6/6/95, Application Number 08/468,588, filed on 6/6/95, and Application Number 08/469,317, filed on 6/6/95, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 37,676

Carol M. Nielsen  
Signature

May 16, 2005

Date

Carol M. Nielsen

Typed or printed name

713-650-2722

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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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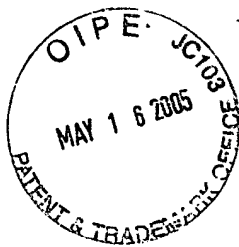
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